

**IN THE CLAIMS:**

Please cancel claim 14 without prejudice.

Please rewrite claims 1, 13, 15 and 16 as set forth below in clean form. Additionally, in accordance with 37 CFR 1.121(c)(1)(ii), amended claims 1, 13, 15 and 16 are set forth in a marked-up version in the pages attached to this amendment.

e1

*Sub  
G1*

1. A method of operating a brake assistant system which comprises a first mode of operation in which the brake assist system is not actuated, a second mode of operation in which after recognition of an emergency brake situation a pressure build-up of wheel brakes is generated, and a third mode of operation which is provided for the transition from the second into the first mode of operation, comprising the steps of:

monitoring the master cylinder pressure in the third mode of operation,

determining when the wheel brake pressure is excessively elevated compared to the monitored master cylinder pressure, and

diminishing the amount of excess elevation by functionally correlating the wheel brake pressure with the monitored master cylinder pressure throughout the duration of the third mode of operation.

e2

13. The method according to claim 1, wherein the diminishing step includes the sub step of determining a momentary ~~value~~ of the wheel brake pressure by multiplying a momentary value of a time-dependent excess elevation function with the momentary value of the master-cylinder pressure throughout the duration of the third mode of operation.

e3

15. The method according to claim 13, wherein the diminishing step is further defined by declining the excess elevation function in time intervals in which the master cylinder pressure is declining.

*e3  
Cont*

16. The method according to claim 13, wherein the diminishing step is further defined by keeping the ~~excess~~ elevation function constant in time intervals in which the master cylinder pressure is increasing.

Please add the following new claim.

*e4*

20. (New) The method according to claim 15, wherein the step of declining the excess elevation function comprises monotonously declining the excess elevation function as a function of time.

21. (New) A method of operating a brake assistant system which comprises a first mode of operation in which the brake assist system is not actuated, a second mode of operation in which after recognition of an emergency brake situation a pressure build-up of wheel brakes is generated, and a third mode of operation which is provided for the transition from the second into the first mode of operation, comprising the steps of:

monitoring the master cylinder pressure in the third mode of operation,

determining when the wheel brake pressure is excessively elevated compared to the monitored master cylinder pressure, and

diminishing the amount of excess elevation, wherein an input that results in a diminution in master cylinder pressure effects a reduction in the amount of excess elevation and every other input affects the wheel brake pressure but not the excess elevation.